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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,855	08/23/2001	Jiro Tateyama	862.C2339	9121

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EXAMINER	
LETT, THOMAS J	
ART UNIT	**PAPER NUMBER**
2626	

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/934,855	TATEYAMA, JIRO	
	Examiner	Art Unit	
	Thomas J. Lett	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 August 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *29 November 2001*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Yan et al (USPN 6,003,065 A) in view of well-known prior art.

With respect to claim 1, Yan et al disclose an image processing system (computer network 100, consisting of image devices) having plural devices (see Fig. 1), including a device capable of executing predetermined image processing,

interconnected via a serial bus (Yan et al teach that peripheral devices of the computer network 100 can interface (via interfaces 211 and 212) using a serial interface, col. 8, lines 16-25),

wherein a processing program for execution of said image processing is downloaded from said device capable of executing predetermined image processing (host device 102A) to a device among said plural devices without a function of executing said image processing (e.g., 102B-102F), (Yan et al teach that to drive a peripheral device, the application need only download the necessary application or applet into the virtual machine instruction processor located on the peripheral device from a host computer, col. 10, lines 42-45), and

wherein processing performance information indicating performance of executing said image processing is obtained from each of said plural devices, further wherein an executing device to execute said image processing is determined from said plural devices based on said processing performance information (Yan et al teach a method that automatically selects a peripheral device for performing the requested job based upon the predetermined selection criteria, col. 19, lines 1-9).

With respect to claim 2, Yan et al disclose an image processing system according to claim 1, wherein said processing performance information is obtained at each of plural processing steps constructing said image processing (Yan et al teach a method that automatically selects a peripheral device for performing the requested job based upon the predetermined selection criteria, col. 19, lines 1-9. Examiner notes that it would be obvious for the method of Yan et al to obtain the necessary criteria for processing the image).

With respect to claim 3, Yan et al disclose an image processing system according to claim 2, wherein said processing performance information is obtained by measuring processing time upon execution of said image processing on predetermined sample image data (Examiner notes that it would be obvious for the method of Yan et al to obtain the necessary criteria for processing the image. Examiner further notes that the application can also detect which pages of a print job are color and send them to a slower, higher resolution color printer while sending the black and white portions of the file to higher speed, lower resolution black and white printers. These techniques have

increased economic efficiencies and relieve the user from tedious configuration details, col. 22, lines 52-57).

With respect to claim 4, Yan et al disclose an image processing system according to claim 1, wherein said executing device is determined so as to minimize the processing time of said image processing (Examiner notes that the system of Yan et al can detect which pages of a print job are color and send them to a slower, higher resolution color printer while sending the black and white portions of the file to higher speed, lower resolution black and white printers. These techniques have increased economic efficiencies and relieve the user from tedious configuration details, col. 22, lines 52-57).

With respect to claim 5, Yan et al disclose an image processing system according to claim 1, wherein said executing device is determined so as to minimize the processing time of said image processing (Yan et al teach of functions that can result in significant cost and time savings in the computer network system 100, col. 11, lines 15-21).

With respect to claim 6, Yan et al disclose an image processing system according to claim 1, wherein transfer performance information indicating a data transfer speed between said plural devices is further obtained (a user or application can automatically locate a printer device based on print speed and print capacity, col. 17, lines 34-43), and wherein said executing device is determined based on said transfer performance information (Yan et al teach a method that automatically selects a

peripheral device for performing the requested job based upon the predetermined selection criteria, col. 19, lines 1-9).

With respect to claim 7, Yan et al disclose said execution program is downloaded between devices having a common operating system (Yan et al teach of using operating system 230 as the JAVA OS operating system which can be executed on virtual machine instruction processor 214 and processes JAVA language instructions most efficiently in all of the plural devices, col. 10, lines 6-15).

With respect to claim 8, Yan et al disclose said plural devices include an image supply device (camera 102C, see Fig. 1) and an image printing device (printer 102B, see Fig. 1).

With respect to claim 9, Yan et al disclose said plural devices include a digital broadcast tuner (hdtv television 102E, Examiner notes that it is well-known that televisions contain built-in tuners or decoders), and wherein the processing program for execution of said image processing is downloaded to said tuner (the application need only download the necessary application or applet into the virtual machine instruction processor located on the peripheral device from a host computer, col. 10, lines 42-45).

With respect to claim 10, Yan et al disclose an image processing system according to claim 9, wherein said tuner is a set top box (hdtv television 102E, Examiner notes that it is well-known in the art that televisions contain built-in tuners or decoders. These tuners could be built-in set-top boxes).

With respect to claim 11, Yan et al disclose an image processing system according to claim 8, wherein said image processing is converting image data supplied

from said image supply device to print data in said image printing device (Examiner notes that it is obvious that the computer network system 100 can allow camera 102C to transfer an image via network interface to printer 102b or any other peripheral device in said system).

With respect to claim 12, Yan et al disclose an image processing system according to claim 11, wherein said image supply device is a digital camera (col. 18, lines 7-11).

With respect to claim 13, Yan et al disclose an image processing system according to claim 1, wherein said serial bus is adapted to or based on the IEEE 1394 standard (Yan et al teach that peripheral devices of the computer network 100 can interface (via interfaces 211 and 212) using a serial interface including e.g., IEEE1394 or "Firewire", col. 8, lines 16-25).

With respect to claim 14, Yan et al disclose an image processing system according to claim 1, wherein said serial bus is adapted to or based on the USB standard (Examiner notes that Yan et al teach that peripheral devices of the computer network 100 can interface (via interfaces 211 and 212) using a serial interface including other low latency communications technologies which would include USB, col. 8, lines 16-25).

2. Claims 15-17 are method claims and are rejected for the same reason as that of claim 1.

With respect to claim 18, Yan et al disclose a recording medium holding a control program (Yan et al teach of a storage device coupled to the host computer that is

generally used to store an application which requires use of a peripheral device and is composed of one or more virtual machine instructions. The system also includes a determination mechanism typically embedded in the application which queries the peripheral database based upon a predetermined criteria and selects which peripheral device should execute the application, .col. 5, lines 57-63) for controlling an image processing system having plural devices, including a device capable of executing predetermined image processing, interconnected via a serial bus, wherein said program comprising at least:

code for downloading a processing program for execution of said image processing from said device capable of executing predetermined image processing to a device among said plural devices without a function of executing said image processing (Yan et al teach that to drive a peripheral device, the application need only download the necessary application or applet into the virtual machine instruction processor located on the peripheral device from a host computer, col. 10, lines 42-45);

code for obtaining processing performance information indicating performance of executing said image processing from each of said plural devices (Yan et al teach a method that automatically selects a peripheral device for performing the requested job based upon the predetermined selection criteria stored in a database, col. 19, lines 1-9); and

code for determining an executing device to execute said image processing from said plural devices based on said processing performance information (Yan et al teach

a method that automatically selects a peripheral device for performing the requested job based upon the predetermined selection criteria, col. 19, lines 1-9).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to:
Crystal Park II
2121 Crystal Drive
Arlington, VA Sixth Floor (Receptionist).

TJL

MARK WALLERSON
PRIMARY EXAMINER